REMARKS

Claims 1-13 remain pending in this application.

Rejection of Claims 1-13 under 35 USC § 103(a)

Claims 1-13 are rejected under 35 USC § 103(a) as being anticipated by Collings (5.828,402) and Anderson et al (6,005,631).

The present claimed invention recites an apparatus including a data receiver for receiving a signal channel selection from a user. A signal input receives a program signal associated with one of a plurality of signal channels and selects one of the plurality of signal channels in response to the channel selection. A signal output provides an output signal derived from the program signal and an auxiliary data decoder detects program related information included in each program signal. A processor is operatively connected to the data receiver, signal input, signal output and auxiliary data decoder. The processor controls the output signal in a predetermined manner to reduce user access to the program signal when a predetermined sequence of signal channel selections is received.

As discussed in the specification on page 32, lines 10-27, a delay exists between the receipt and decoding of program related information. Additionally, rating packet information may be delayed by higher priority signals such as closed captioned. Therefore, there may be a delay greater than 3 seconds after selection of a new channel before new program related information may be detected and decoded. During this period, possibly objectionable material may remain unblocked and be viewed by unintended audiences. By switching channels back and forth, it is possible to circumvent the ratings limits allowing unintended audiences to view objectionable programming. The present claimed invention reduces user access to the program signal upon detection "a predetermined sequence of signal channel selections" indicative of such attempts to circumvent the delay in receipt of program rating packet transmissions.

Collings discloses a video program transmission method for enabling a viewer to receive information useful for selectively blocking the viewing of television programming. Collings selectively blocks the viewing of television programming by detecting data packets describing television programming in an incoming video signal. These data packets include at least packets which contain category information specifying a level in one or more multi-level categories and/or label information specifying labels applied to the program content of the signal. Collings neither suggests nor discloses "a processor (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said processor controls said output signal in a predetermined manner to reduce user access to said program signal when a predetermined sequence of signal channel selections is received" as in the present claimed invention.

Anderson discloses a method for organizing program information by obtaining a program list and generating program descriptors. A relationship is then separately established between these descriptors and criteria which may be used by a subscriber to search the electronic programming guide data for programs of interest to that subscriber. However, similarly to Collings, Anderson neither suggests nor discloses "a processor (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said processor controls said output signal in a predetermined manner to reduce user access to said program signal when a predetermined sequence of signal channel selections is received" as in the present claimed invention.

As Collings relates to a method and apparatus for selectively blocking audio and video signals and Anderson et al. are concerned with organizing and searching an electronic program guide for programs of interest, it is respectfully submitted that there is no motivation or unity of objective to combine these two references. In fact, Collings and Anderson et al. have opposing objectives. Collings is directed toward detecting data packets of incoming video signals to block signals which meet certain

criteria while Anderson et al. are directed toward searching the Electronic Program Guide to detect programs which meet the criteria for display.

Even if it were proper to combine Collings and Anderson et al., this combination would produce a system and method for comparing data packets in an incoming video signal for comparison with stored preferences which will display programs which meet prescribed criteria. This combination would not produce the system in which "a processor (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said processor controls said output signal in a predetermined manner to reduce user access to said program signal when a predetermined sequence of signal channel selections is received" as in the present claimed invention.

Claim 2 recites an apparatus where the processor controls the output signal in the predetermined manner for at least until the program related information has been determined when the predetermined sequence of signal channel selections is received. As discussed above, Collings teaches a microprocessor that receives an embedded code containing station identification information. The microprocessor compares the newly received call letters with previously stored ones and if the newly received call letters are different, the microprocessor erases the information stored in the memory locations. However, contrary to the assertion of the Examiner, Collings neither discloses nor suggests that the "processor controls said output signal in said predetermined manner for at least until said program related information has been determined when said predetermined sequence of signal channel selections is received" as claimed in claim 2 of the present invention.

Claim 7 recites an apparatus where a processor controls the output signal in a predetermined manner when the predetermined sequence of signal channel selections is received and a first blocking mode has been selected. Collings teaches an apparatus that detects one or more embedded codes in a video signal and prevents the video signal from reaching the output if the codes represent information which indicates the video signal should be blocked. However, contrary to the assertion of the Examiner,

Collings neither discloses nor suggests that the "processor controls said output signal in said predetermined manner when said predetermined sequence of signal channel selections is received and a first blocking signal has been selected" as claimed in claim 7 of the present invention.

In view of the above remarks, it is respectfully submitted that Collings and Anderson et al., when taken alone or in combination, neither disclose nor suggest "a processor (112) operatively connected to said data receiver, said signal input, said signal output and said auxiliary data decoder, wherein said processor controls said output signal in a predetermined manner to reduce user access to said program signal when a predetermined sequence of signal channel selections is received" as in the present claimed invention and thus provide no 35 USC 112 compliant enabling disclosure showing the above discussed features. Thus, it is respectfully submitted that Collings and Anderson et al., when taken alone or in combination, do not make the present invention as claimed in claim 1 unpatentable. It is thus further respectfully submitted that this rejection is satisfied and should be withdrawn. As claims 2-13 are dependent upon Claim 1 it is respectfully submitted that these claims are also allowable for the same reasons as claim 1 discussed above.

Having fully addressed the Examiner's rejections, it is believed that, in view of the preceding remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at the phone number below, so that a mutually convenient date and time for a telephonic interview may be scheduled.

No fee is believed due. However, if a fee is due, please charge the fee to Deposit Account 07-0832.

Respectfully submitted,
Joseph Wayne Forler

By _____
Jackie Jay Schwartz
Reg. No. 34,721
(609) 734-6866

Patent Operations
Thomson Licensing, Inc.
P.O. Box 5312,
Princeton, NJ 08543-0028
September 14, 2004